

gathered in TV Tower and Parliament Square to protest and resist the Russians and to defend their new independent national legislature.

I was lucky. I was there to see the efforts by the people of Lithuania of this tiny nation to protect what they were starting with a new Parliament and free elections for the first time in almost 50 years.

Thirteen martyrs died in the Soviet Union's brutal attempt to crush the restoration of Lithuanian independence. But to the astonishment of the entire world, after 2 days of bloodshed and killing, the Soviet tanks turned around and left. Against all odds, that tiny nation of Lithuania threw off 50 years of Soviet tyranny and occupation. They soon were joined by Latvia and Estonia, where similar courage was shown, and then by other Eastern European nations held captive by the Soviet bloc.

Today, I am proud to say Lithuania remains a free and independent democracy. Soviet President Mikhail Gorbachev, at the time he ordered the tanks to withdraw from Lithuania, 31 years ago, came to realize that you can brutalize a people who are determined to be free, but you can't defeat them. Ultimately, freedom will prevail.

It is a tragedy that Russian President Putin—Vladimir Putin—cannot or will not learn that lesson of history. Instead, today, he is intimidating Ukraine with the same discredited tactics that failed in the Baltics three decades ago.

I was fortunate to be invited on a trip in the year 2014 with the late Senator John McCain of Arizona. He never missed visiting the hot spots of the world, and we went to Kiev in Ukraine, and we walked down to the Maidan Square, which had been the place where the people of Ukraine—the Ukrainians—stepped forward to demand their freedom.

Senator McCain invited me to be part of a delegation during an extraordinary moment when the Ukrainian people were preparing to risk their lives for freedom. We were joined on the trip to Kiev by Senators Barrasso, Johnson, Murphy, and others. And we walked solemnly through the makeshift shrines set up in the Maidan memorializing those who lost their lives in Ukraine's peaceful protest for a better future.

They stopped us at one point and pointed to a place and said: One of the protesters was standing here when the government sniper killed him. That is why there are flowers and candles at that site.

We were planning to travel to the eastern part of the country as well, but we were too late. Russians and Vladimir Putin had already invaded with their little green men and had seized the territory of Crimea. Yet in the ensuing years, despite Russia's military invasion and occupation of Eastern Ukraine, the Ukrainian people have thrived and built on their democratic aspirations.

As with any democracy, there are always areas for improvement, but the Ukrainian people have clearly decided their future is with the community of democracies and not with Moscow. And yet that basic human desire to be free and democratically choose one's leaders is apparently too much for Russian leader Vladimir Putin who is now threatening a further massive military invasion of Ukraine.

He has amassed some 100,000 troops on their border, preparing for that invasion. It is not enough that Putin denies the Russian people their basic freedom; he is determined to eradicate similar aspirations on Russia's border to protect his undemocratic regime.

President Biden and Members of both parties in this Chamber have been swift to condemn Putin's threatened further invasion of Ukraine. President Biden has made it clear that any such move by Russia would be met with rapid and severe economic sanctions. The chair of the Senate Foreign Relations Committee, BOB MENENDEZ of New Jersey, has drafted legislation that would impose historic sanctions if Russia further invades Ukraine. The bill's approach is sweeping and clear, and I support it. I agree with our President and the chairman of the Foreign Relations Committee. This is the right message for us to send from the President and the U.S. Senate to Vladimir Putin.

Chairman MENENDEZ's solution also provides assistance to the Baltic States in standing up to both Putin and China—a timely measure I want to thank my colleague for including in this bill.

It is a bill we should actually be debating on the Senate floor. Instead, we will be forced to vote this week or soon on a different and weaker response to the crisis on the Ukraine's border.

The junior Senator from Texas is the author of this weaker approach. He has managed to force a vote on it by holding hostage dozens of President Biden's nominations. His approach includes a provision to remove the waiver for sanctions against a new gas pipeline between Russia and Germany.

Let me be clear. This Nord Stream 2 Pipeline is a proposal I have been critical of for a long time. I have urged our European allies to diversify their natural gas supply away from Russia. President Biden's position on Nord Stream 2 is the same—that the pipeline could effectively undermine European security by increasing reliance on Moscow.

But the truth is, construction on that pipeline did not begin in the last year; it started under President Trump. I don't think you will be hearing that present in the speeches of the junior Senator from Texas. Despite congressional sanctions and restrictions, by the time Biden entered office, that pipeline was nearly 95 percent complete. Where was the Republican outrage when the lion's share of the pipeline was built under the Trump administration? Were dozens of critical

nominations brazenly and dangerously held then? No.

Given the pipeline's near completion this spring, President Biden waived some but not all sanctions on Nord Stream 2 in an effort to mend relations with Germany and its new government. They are one of our closest allies and partners. We need to continue such close cooperation with our European partners so long as they stand with us to effectively deter further Russian provocation.

President Biden announced an agreement with Germany that involves securing Ukraine and Europe's energy sector, as well as imposing sanctions on Russia. This is important. The President still has the authority to impose additional sanctions on Nord Stream 2. In fact, just this November, the administration sanctioned a Russian-linked ship in connection with it.

The bill offered by my colleague from Texas does not provide any new authority to the President; it only takes away his waiver authority to force sanctions, setting a dangerous precedent and jeopardizing the administration's flexibility to respond to escalation by the Russians.

This Cruz bill will hardly deter the potential Russian invasion of Ukraine and only serve to complicate the efforts to repair relations with our European ally Germany, which has critical energy needs.

I believe we should leave the flexibility of how and when to further sanction this pipeline to the President as part of a larger approach in dealing with Putin. For this reason, I urge my colleagues to support the wiser approach by the senior Senator from New Jersey to send a serious, credible response to Russia if it further invades Ukraine.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### ADOPTIONS FROM CHINA

Mr. GRASSLEY. Madam President, for over 25 years in the Senate, I have been an advocate for adoption.

Adoption is a way for families to be created out of tragedy. It is a pathway to the joy of raising children and guaranteeing security of a place that now they can call home.

One family, Cate and Ben Bryan from Iowa, made the choice to open their hearts and their home to a child from China and were matched with a little girl named Rosie.

Hundreds of families across the country, including the Bryans and others in Iowa, have chosen adoption from China. They have been matched with specific children and made arrangements to welcome those children into their homes.

Many of these kids being adopted from China have disabilities or other special needs and require specialized health and care services.

These kids are in desperate need of families to take care of them but are being denied the opportunity to come

to their home in America with those parents all due to China's refusal to let Americans into the country to complete adoptions.

In February of 2020, China closed its border due to the spread of COVID. This meant that parents who had already been matched with a child in China could not proceed with their adoption. Of course, parents must physically be present in China to continue the adoption process and bring it to finality in order to get their child home.

What was said to be a temporary emergency precaution because of COVID has now stretched into years despite the availability of vaccines. Due to China's unwillingness to open its borders to these parents, adoptions have been stalled for now 2 years.

Some parents have been prohibited from even communicating with their children during this time. The Bryans from Iowa are unable to receive updated health information about their daughter and are unable to send letters or care packages. She might not even know that they have been trying for years to bring Rosie into their family.

Now, other countries that participate in international adoptions have found ways to continue the process, even in light of COVID. Even countries with travel restrictions on other groups have made exceptions for adoptive families. Parents want to cooperate. Parents are willing to quarantine. Parents are willing to be tested. Parents will take every precaution asked of them by China.

Now, what is so odd about all the parents who want to adopt not being allowed into China—we know that China has opened the country to athletes participating in the Olympics, those wishing to do business there, and to American journalists, but why not to adopting parents? Tourist visas are still not being issued, and adoptive parents are being classified as tourists despite specific reasons for their visit.

It is imperative that the Biden administration work to get adoptions from China moving again. These families have been waiting long enough. The kids whom they are working to adopt have been waiting even longer.

I get a chance to hear from kids in foster care in the United States through my role as chairman of the Senate Caucus on Foster Youth. I always hear the same message from these young people: They want a mom and dad. They want a loving place to call home. Kids in China are no different. They deserve a family and safety and the security of loving parents.

I pray that the hearts of Chinese leaders are softened enough to allow these families into the country and allow these kids to come home to America.

#### FILIBUSTER

Now on another subject, the subject of this week in the U.S. Senate about whether the 60-vote requirement to move legislation ahead should be done

away with—that is the purpose of coming to the Senate for these remarks.

Senate procedure is complex enough that talking about it often trips up even Senators who have been around here for several years. Reporters writing about the so-called filibuster often look to past reporting to get their bearings. In doing so, they perpetuate a conventional wisdom that is false or even misleading.

It is common around here to refer to the cloture motion as the Senate filibuster. Now, I want all my colleagues to know that I am guilty of doing this sort of shorthand all the time, and I tell myself I ought to not be making the same mistake.

According to the nonpartisan Congressional Research Service:

Filibustering includes any use of dilatory or obstructive tactics to block a measure by preventing it from coming to a vote.

The cloture motion is not the same thing as a filibuster, as the Congressional Research Service will also confirm. The cloture motion requires 60 votes to bring consideration of legislation to finality. That means not just debate but, crucially, the amendment process.

Of course, I want to repeat that. The effect of invoking cloture is to say that the Senate has considered the bill enough, meaning a sufficient number of amendments have been considered that the Senate has a chance to work its collective will.

The Senate was designed by the constitutional Framers to be a deliberative body. In the House, a narrow majority can pass hastily drafted, poorly conceived legislation.

As political parties have become more ideologically polarized, power to shape legislation has accrued to the House leadership. Individual Members of the House of Representatives have essentially no opportunity to get a vote on bills or amendments unless blessed by the Speaker of the House, Republican or Democrat.

The House Rules Committee, filled with partisans loyal to the Speaker, will draft a very special rule for considering a specific bill, and that is possible to detail the number of amendments, if any, allowed to be offered. Members of the majority party in the House are expected to vote for their party's rule, no matter what.

The Senate is supposed to be different. It is kind of like what we call the cooling saucer, making sure each provision in legislation is thought through and done as well as we can, particularly to overcome some in the House of Representatives who act so quickly. We also make sure that bills work for most States, not just the most populous States on the east or west coast that tend to dominate the House of Representatives.

So the Senate is different. Each and every Senator represents a whole State, and each Senator has equal right to participate in the legislative process on behalf of their State. Sen-

ators who would abdicate that right are doing a disservice to their State and the people they represent.

In the 2008 election, Democrats gained a 60-vote supermajority in the Senate, with a Democrat House and President Obama. As such, the Senate, during those 2 years, tended to act kind of like the House does on process. The usual deliberative process, with bipartisan negotiations and careful refining and tweaking by committees, all went out the window. Major legislation was drafted in the Senate Democrat leader's office, often bypassing Senate committees. Democrats would then dutifully invoke cloture, often with no Senate floor amendment process at all. So, naturally, those of us who have served around the Senate a while were astounded at the time that Democrat Senators would routinely vote to cut off the amendment process before it had begun. Surely, they had amendments important to their States that they would have liked to have offered, but voting for cloture was expected of Democrats. They had 60 votes, after all. They could do almost anything they wanted to. And it turned out just like the rule that comes out of the Rules Committee, affecting how debate happens in the House of Representatives. Now, Democrats did this even if it meant giving up their right to offer amendments, thus abdicating their responsibility to represent their home States.

That situation became the norm, even when the Democrats lost their short-lived 60-vote supermajority.

Most Senators now serving only know the Senate since this break with Senate tradition. Despite some improvements in recent years, the culture of the Senate has not recovered. When people say the Senate is broken, the problem is not the one Senate rule keeping it from becoming just like the House of Representatives. In other words, it is not the 60-vote requirement that has broken the Senate. The problem is that people expect the Senate to act just like the House of Representatives when the Senate is actually intended to be a check on the House. Since the most significant effect of blowing up the 60-vote cloture rule would be denying the right of all Senators to offer amendments on the Senate floor, why do people still talk about some return to the mythical talking filibuster?

That comes out of confusion over the word "filibuster" that I mentioned at the start of my remarks today. The Senate rules state that in most cases during debate on a bill, a Senator may speak for as long as that Senator holds the floor. That is the rule Jimmy Stewart's character took advantage of to delay consideration of a corrupt bill in the classic movie "Mr. Smith Goes to Washington." That meets the definition of a filibuster, but it has nothing to do with the cloture rule. Those who would argue that Senators ought to have to speak nonstop on the Senate